

Property Owners Association, and Legal Division Vice President, Eastman Kodak Co., Rochester, New York; Mark A. Lemley, Professor, Stanford Law School, Stanford, CA; Jonathan Band, Counsel on behalf of VISA and the Financial Services Roundtable, Washington, DC; Chuck Fish, Vice President and Chief Patent Counsel, Time Warner, Inc., New York, NY.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### PRIVILEGE OF THE FLOOR

Mr. BINGAMAN. Mr. President, I ask unanimous consent that Sreela Nandi, Tara Billingsley, and Dominic Saavedra, all of whom are fellows or interns with the Democratic staff and the Committee on Energy and Natural Resources, and Jonathan Epstein, a legislative fellow in my office, be granted floor privileges during the consideration of this bill, H.R. 6.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Mr. President, on behalf of Senator CANTWELL, I ask unanimous consent Bernie Saffell, a fellow in her office, be granted floor privileges during consideration of the bill that will shortly be before the Senate, H.R. 6.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CRAIG. Mr. President, I ask unanimous consent that Dominic Saavedra, an intern on the staff of Senator BINGAMAN, be granted the privileges of the floor during the debate on H.R. 6 and the Energy Policy Act of 2005.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HARKIN. Mr. President, I ask unanimous consent that Stephen Buttschi of my staff be granted the privilege of the floor for the duration of today's session.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### APPOINTMENTS

The PRESIDING OFFICER. The Chair, on behalf of the Vice President, pursuant to Public Law 94-304, as amended by Public Law 99-7, appoints the following Senators as members of the Commission on Security and Cooperation in Europe (Helsinki) during the 109th Congress: the Senator from Oregon, Mr. SMITH; the Senator from Georgia, Mr. CHAMBLISS; the Senator from North Carolina, Mr. BURR; and the Senator from Louisiana, Mr. VITTER.

#### HONORING THE LIFE OF ROBERT M. LA FOLLETTE, SR., ON THE SESQUICENTENNIAL OF HIS BIRTH

Mr. DOMENICI. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of S. Res. 161, and the

Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will state the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 161) honoring the life of Robert M. La Follette, Sr., on the sesquicentennial of his birth.

There being no objection, the Senate proceeded to consider the resolution.

Mr. DOMENICI. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid upon the table, and that any statements relating thereto be printed at the appropriate place in the RECORD as if read, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 161) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

#### S. RES. 161

Whereas Robert M. La Follette, Sr., better known as "Fighting Bob" La Follette, was born 150 years ago, on June 14, 1855, in Primrose, Wisconsin;

Whereas Fighting Bob was elected to 3 terms in the United States House of Representatives, 3 terms as Governor of Wisconsin, and 4 terms as a United States Senator;

Whereas Fighting Bob founded the Progressive wing of the Republican Party;

Whereas Fighting Bob was a lifelong supporter of civil rights and women's suffrage, earning respect and support from such distinguished Americans as Frederick Douglass and Harriet Tubman Upton;

Whereas Fighting Bob helped to make the "Wisconsin Idea" a reality at the Federal and State level, instituting election reforms, environmental conservation, railroad rate regulation, increased education funding, and business regulation;

Whereas Fighting Bob was a principal advocate for the Seventeenth Amendment to the Constitution of the United States, which calls for the election of United States Senators by popular vote;

Whereas Fighting Bob delivered an historic speech, "Free Speech in Wartime", opposing the public persecution of those who sought to hold their Government accountable;

Whereas Fighting Bob played a key role in exposing the corruption during the Teapot Dome Scandal;

Whereas Fighting Bob and his wife, Belle Case La Follette, founded La Follette's Weekly, now renamed The Progressive, a monthly magazine for the Progressive community;

Whereas Fighting Bob ran for the presidency on the Progressive ticket in 1924, winning more than 17 percent of the popular vote;

Whereas the Library of Congress recognized Fighting Bob in 1985 by naming the Congressional Research Service reading room in the Madison Building in honor of both Robert M. La Follette, Sr., and his son, Robert M. La Follette, Jr., for their shared commitment to the development of a legislative research service to support the United States Congress;

Whereas Fighting Bob was honored in 1929 with 1 of 2 statues representing the State of

Wisconsin in National Statuary Hall in the United States Capitol;

Whereas Fighting Bob was chosen as 1 of "Five Outstanding Senators" by the Special Committee on the Senate Reception Room in 1957;

Whereas a portrait of Fighting Bob was unveiled in the Senate Reception Room in March 1959; and

Whereas Fighting Bob was revered by his supporters for his unwavering commitment to his ideals, and for his tenacious pursuit of a more just and accountable Government: Now, therefore, be it

*Resolved*, That the Senate—

(1) celebrates the sesquicentennial of the birth of Robert M. La Follette, Sr.;

(2) recognizes the important contributions of Robert M. La Follette, Sr., to the Progressive movement, the State of Wisconsin, and the United States of America; and

(3) directs that the Secretary of the Senate transmit an enrolled copy of this resolution to the family of Robert M. La Follette, Sr., and the Wisconsin Historical Society.

#### ORDERS FOR WEDNESDAY, JUNE 15, 2005

Mr. DOMENICI. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 9:30 a.m., Wednesday, June 15. Further, I ask that following the prayer and the pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved, and the Senate then resume consideration of H.R. 6, the Energy bill. I further ask consent that the Senate recess from 12:30 p.m. until 2:15 p.m. on tomorrow for the Republican Party luncheon.

The PRESIDING OFFICER (Mr. CHAMBLISS). Without objection, it is so ordered.

#### PROGRAM

Mr. DOMENICI. Mr. President, tomorrow the Senate will resume consideration of the Energy bill. Currently pending is a Schumer second-degree amendment to the underlying Domenici ethanol amendment. We expect a vote in relation to that amendment early tomorrow morning, hopefully by 10 a.m. Senators should take note of that fact. That is a probability, not just a speculation.

For the remainder of the day, we will continue working through the amendments to the bill.

#### ORDER FOR ADJOURNMENT

Mr. DOMENICI. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that the Senate stand in adjournment under the previous order, following the remarks of Senator HARKIN for up to 15 minutes, Senator DURBIN for up to 25 minutes, and Senator DODD for up to 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DOMENICI. I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. HARKIN. Mr. President, I understand the Senator from Connecticut has a short statement. I ask the Senator about how long?

Mr. DODD. About 5 minutes.

Mr. HARKIN. I ask unanimous consent that the Senator from Connecticut be recognized for his statement and then the Senator from Iowa and then the Senator from Illinois.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Connecticut is recognized for up to 10 minutes, the Senator from Iowa for up to 15 minutes, and the Senator from Illinois for up to 25 minutes.

Mr. DODD. Mr. President, I thank my colleague from Iowa.

#### NOMINATION OF JOHN BOLTON

Mr. DODD. Mr. President, I wish to take a couple of minutes to review for my colleagues what has transpired over the last several days on the pending matter of the nomination of John Bolton to be our ambassador to the United Nations.

I know there has been a lot of talk about whether goalposts have been moved in our efforts to resolve the outstanding matters concerning information which the Foreign Relations Committee seeks from the administration regarding the Bolton nomination, information that will not be shared with all Members of this body, but shared with the appropriate members of the Intelligence Committee and the chairman and ranking member of the Foreign Relations Committee.

We have not been expanding the goalposts but, rather, shrinking them. I want to review what has happened since April 11, since the issue was first raised regarding the nomination of John Bolton.

There are two issues on which the Senate Foreign Relations Committee seeks additional information. One has to do with 10 intercepts involving the names of 19 Americans that Mr. Bolton sought as the Under Secretary of State. We have tried since April 11, since the issue was raised on April 11, to have the appropriate members of the Foreign Relations Committee and the Intelligence Committee review those intercepts, much as Mr. Bolton did. The administration has refused to allow that to occur.

I then offered as a counterproposal, rather than the appropriate members looking at the intercepts, that at least the names of people we believe may be on those requests from Mr. Bolton be sent down to the administration for them to review. If they are on the list, we would want to pursue that a bit further to find out why Mr. Bolton sought information about them. If they are not, then that would end the matter.

A second matter of equal importance is a request Senator BIDEN has made, and that has to do with draft testimony before the Congress regarding Syria and the possibility of weapons of

mass destruction being located in Syria.

Both requests are rather simple to comply with and should not take much time. But my colleagues on both sides ought to be aware that this is now a matter beyond the consideration of Mr. Bolton. Either the Senate has a right to receive pertinent and important information regarding this nomination or it does not.

Certainly my colleagues on both sides of the aisle know historically that other Members have sought information from other administrations they thought was critical to completing their task either on a matter of public policy or a nomination.

As I said earlier, we began on April 11. On April 14 of this year, questions were submitted. Again on April 22. On April 29, Senator BIDEN wrote to the administration requesting information regarding Syria.

On May 4, Senator LUGAR sent letters to Secretary Rice which implied that she need not comply with all of the requests but certainly some of them.

On May 18, Senator BIDEN sent a letter directly to Ambassador Negroponte requesting information regarding the intercepts; again on May 26, on June 1, on June 2, on June 3, on June 8, on June 9, and as late as today on June 14.

There has been a long effort to try and work out some compromise, including the request I made to Mr. Negroponte, to allow us to submit the names. If John Negroponte reported back that there was no correlation between those names and the intercepts sought by Mr. Bolton, then I was going to be satisfied with that answer.

It is ironic, in a way, that the administration is filibustering their own nominee.

I want to get to a vote on John Bolton. We can do it in 24 or 48 hours, in my view, by simply responding to the request we have made, in the modified form we have made it, and responding to Senator BIDEN's request regarding the testimony on Syria. Both of those matters have been sought now for almost 2 months, and yet the administration continues to stonewall on those two requests.

I think it is important that the Senate be heard on these matters. I think it is dangerous for us not to be. There is pertinent information that could relate to the decisions by Senators to vote for or against this nominee.

In short, we have reached out a hand of compromise to the administration. And in response, the administration has given us the back of theirs. They have given us nothing—no counteroffer, just more stonewalling.

It is rather ironic that it is the administration that is filibustering its own nominee.

As my colleagues are well aware, on May 26, just before the Memorial Day recess, the Senate, by a vote of 56 to 42, did not invoke cloture on the motion to proceed to a vote on the nomination of John Bolton to the position of

United States Representative to the United Nations.

The reason that the Senate did not invoke cloture was that sufficient numbers of our colleagues have supported the Foreign Relations Committee's efforts to make sure that all relevant information has been made available to the Senate related to this nomination before the Senate casts an up or down vote.

The administration has offered no rationale for refusing to provide the NSA intercepts or the information about the consultant. With regard to the Syria documents, it has argued that they are not relevant to our inquiry. In other words, the administration is telling the Senate what it may investigate. It has also said that providing the information will have a "chilling effect" on the deliberative process; yet the committee has already received numerous deliberative process materials.

The administration claims that they have already given the necessary information related to the intercepts request to the committee of jurisdiction, namely the Select Committee on Intelligence.

First, the Bolton nomination is within the jurisdiction of the Foreign Relations Committee, not the Intelligence Committee.

Second, we know from Senators ROBERTS and ROCKEFELLER that General Hayden refused to provide them with the very names that Mr. Bolton and Mr. Bolton's staff were allowed to see.

Moreover, in a letter to the chairman and ranking member of the Foreign Relations Committee, Senator ROCKEFELLER stated that Mr. Bolton may have shared the NSA intercepts with others at State without prior authorization from NSA.

So to be clear, Mr. Bolton was apparently free to share this unedited information with members of his staff, but the chairman and ranking members of the Intelligence and Foreign Relations Committees have been denied access to this same information.

I also want my colleagues to understand that the areas of inquiry that the committee is pursuing were not dreamt up by us last night or last week. The administration has been aware for some time what we were seeking and how strongly we felt about these materials being provided.

Let me lay out the chronology of our requests.

On April 11, during the first hearing on Mr. Bolton, that I first raised questions about the NSA intercepts.

On April 14, I submitted a question for the record inquiring about this issue.

On April 22, I sent a letter directly to the NSA requesting this information.

On April 29, Senator BIDEN sent a letter, which also requested the information related to Syria.

On May 4, Senator LUGAR sent a letter to Secretary Rice which implied that she should not feel obligated to respond to all of the Committee's requests.